

**BEFORE THE CITY OF ATLANTA
BOARD OF ETHICS**

In the matter of:

Zachery Davis

Respondent

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Case Nos. CO-07-006

FINAL ORDER

This matter came before the City's Board of Ethics on August 23, 2007, following proper notice to the Respondent by first class mail. The hearing was held to determine if the Respondent violated sections 2-807 (a) and 2-814 of the Atlanta, Georgia, Code of Ordinances by failing to timely file the 2007 City Financial Disclosure Statement. After consideration of the record, the Board makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. The Respondent is a person required to file the 2007 City Financial Disclosure Statement.
2. The Respondent did not file the 2007 City Financial Disclosure Statement by the February 15, 2007, filing deadline.
3. The Ethics Office mailed the Respondent a warning letter on February 20, 2007, for failing to file the annual statement by the filing deadline.
4. On March 15, 2007, the Board of Ethics found the Respondent delinquent under section 2-814 (e) of the City's Code of Ethics, due to the failure to file the 2007 City Financial Disclosure Statement by March 1, the end of the filing grace period.
5. The Ethics Office mailed a notice of delinquency to the Respondent on March 23, 2007.
6. The Respondent did not file the 2007 City Financial Disclosure Statement until July 23, 2007.
7. The Respondent failed to pay the penalty set by the Board for filing after March 1.

8. The Respondent was a delinquent filer in 2006 and paid a \$100 late filing penalty.

CONCLUSIONS OF LAW

9. City employees are required to file an annual disclosure statement by February 15 of each year in which they work for the city and for the year after they leave their position. See Atlanta, Ga., Code § 2-814 (e). Any intentional violation of the Code of Ethics shall subject the violator to an administrative sanction of not more than \$1,000 and a public reprimand by the Board of Ethics. See Atlanta, Ga. Code § 207 (a).
10. The Respondent violated section 2-814 (e) of the City's Code of Ethics by failing to timely file the 2007 City Financial Disclosure Statement without reasonable cause.
11. The Respondent violated section 2-807 (a) by failing to pay the late filing penalty or respond to letters and invoices mailed by the Ethics Office.

Based on these findings and conclusions, the Board of Ethics concludes:

1. The Respondent is ordered to pay a late filing penalty of \$500 for the violation of section 2-814 and an administrative sanction of \$500 for the violation of section 2-807 (a);
2. The Board publicly reprimands the Respondent for failing to timely file the annual disclosure statement in 2007 and for intentionally refusing to pay the penalty owed for late filing.
3. The Board directs the Ethics Officer to forward a copy of this order to the City Solicitor for prosecution of the violations of the City's Code of Ethics in Municipal Court.

The Respondent has the right to appeal this order by seeking review by writ of certiorari in the Fulton County Superior Court. See Atlanta, Ga., Code § 2-807 (d).

Date

8/31/07

John D. Marshall, Jr., Chair

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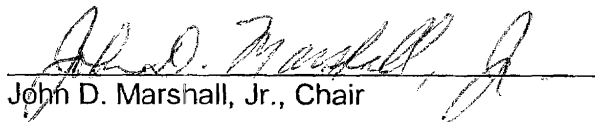
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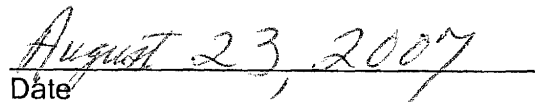
Public Reprimand

You have an obligation under section 2-814 of the Standards of Conduct in the Code of Ordinances to file an annual disclosure of your financial interests each year that you work for the City of Atlanta and in the year after you leave city employment. Disclosure is required to enable the public to review your assets and income sources for actual and potential conflicts of interest.

The city's records show that you worked for the City of Atlanta in 2006 and were required to file an annual disclosure statement this year. The Board of Ethics finds that you have violated the law by failing to file your 2007 City Financial Disclosure Statement by the filing deadline and by intentionally refusing to pay the fine owed for filing late. Because you have intentionally violated the Code of Ethics, the Board reprimands you for your failure to perform your legal and ethical obligations under city law.

Issued by the City of Atlanta Board of Ethics


John D. Marshall, Jr., Chair


Date